

Translation

PATENT COOPERATION TREATY

PCT/JP2003/008006



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference M838-PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/008006	International filing date (day/month/year) 24 June 2003 (24.06.2003)	Priority date (day/month/year) 19 June 2003 (19.06.2003)
International Patent Classification (IPC) or national classification and IPC C22C 38/00, C21D 9/46		
Applicant NIPPON STEEL CORPORATION		

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1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 11 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☒ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 16 July 2003 (16.07.2003)	Date of completion of this report 31 March 2004 (31.03.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

Form PCT/IPEA/409 (cover sheet) (July 1998)

EV 32024806945

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP2003/008006

I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
pages _____, 1,2,6-17 _____, as originally filed
pages _____, filed with the demand
pages _____, 3,3/1,4,4/1,5,5/1 _____, filed with the letter of _____ 10 February 2004 (10.02.2004)
- ☒ the claims:
pages _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, 1-9 _____, filed with the letter of _____ 10 February 2004 (10.02.2004)
- ☒ the drawings:
pages _____, 1/3-3/3 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	2-5, 8, 9	YES
	Claims	1, 6, 7	NO
Inventive step (IS)	Claims		YES
	Claims	1-9	NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

2. Citations and explanations

Document 1: JP 2000-345288 A (Nippon Steel Corp.) December 12, 2000

Document 2: JP 2001-234281 A (Nippon Steel Corp.) August 28, 2001

Claims 1, 6, and 7

Based on the description in document 1, the inventions of claims 1, 6, and 7 lack novelty.

The indicated locations in document 1 cited in the international search report describe a low silicon, high aluminum, hot-dip zinc plated steel plate wherein the "metal structure contains ferrite and martensite," and the composition thereof overlaps the scope of claim 1, including the limitations in the formula, in accordance with the selection of the TS target value, which is to be determined by persons skilled in the art based on the concrete application, etc.

Based on the description in document 1, the inventions of claims 1, 6, and 7 lack an inventive step.

Persons skilled in the art can easily conceive of specifying by formulas ranges of ingredients close to those at the indicated locations in document 1 whereby similar properties can be expected.

Based on the description in document 1, the inventions of claims 2-4 lack an inventive step.

Document 1 describes the addition of the modifying additive elements listed in claims 2-4, and persons skilled in the art can easily conceive of adding those elements.

Claim 5

Based on the descriptions in documents 1 and 2, the invention of claim 5 lacks an inventive step.

Document 1 does not describe the short axis/long axis ratio of the ferrite particles, but document 2 cited in the international search report concerns a galvanized steel plate wherein "the metal structure contains ferrite and martensite," i.e., it concerns an invention in the same field of technology. The indicated locations in document 2 describe restrictions on the short axis/long axis ratio of the ferrite particles, and persons skilled in the art can easily conceive of adding these restrictions to the invention described in document 1.

Claims 8 and 9

Based on the descriptions in documents 1 and 2, the inventions of claims 8 and 9 lack an inventive step.

Document 1 does not describe hot rolling, coiling, annealing temperature, time, and quenching rate, but document 2 cited in the international search report concerns a galvanized steel plate wherein "the metal structure contains ferrite and martensite," i.e., it concerns an invention in the same field of technology. The indicated locations in document 2 describe restrictions on hot rolling, coiling, annealing temperature, time, and quenching rate, and persons skilled in the art can easily conceive of adding these restrictions to the invention described in document 1.

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VI. Certain documents cited

1. Certain published documents (Rule 70.10)

<u>Application No. Patent No.</u>	<u>Publication date (day/month/year)</u>	<u>Filing date (day/month/year)</u>	<u>Priority date (valid claim) (day/month/year)</u>
JP 2003-193192 A [EX]	2003.07.09	2001.12.26	
JP 2003-239040 A [EX]	2003.08.27	2002.02.14	

2. Non-written disclosures (Rule 70.9)

<u>Kind of non-written disclosure</u>	<u>Date of non-written disclosure (day/month/year)</u>	<u>Date of written disclosure referring to non-written disclosure (day/month/year)</u>
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